GLOBAL NOTES AND STATEMENTS OF LIMITATION, METHODOLOGY, AND DISCLAIMERS REGARDING THE DEBTOR'S SCHEDULES OF ASSETS AND LIABILITIES AND STATEMENTS OF FINANCIAL AFFAIRS

Eventide Credit Acquisitions, LLC ("<u>ECA</u>") debtor in possession (the "<u>Debtor</u>")¹ filed for chapter 11 (the "<u>Chapter 11 Case</u>") and in connection therewith has filed its respective Schedules of Assets and Liabilities (collectively, the "<u>Schedules</u>") and the Statement of Financial Affairs (collectively, the "<u>Statements</u>" and, together with the Schedules, the "<u>Schedules and Statements</u>") in the United States Bankruptcy Court for the Northern District of Texas Fort Worth Division (the "<u>Bankruptcy Court</u>"). The Debtor, with the assistance of its legal and financial advisors, prepared the Schedules and Statements, pursuant to section 521 of Chapter of Title 11 of the United States Code (the "<u>Bankruptcy Code</u>") and Rule 1007 of the Federal Rules of Bankruptcy Procedure (the "<u>Bankruptcy Rules</u>"), and are unaudited.

In 2019 alone, the Debtor paid over \$7.5 million in legal fees defending itself and certain parties it is required to indemnify in pending litigation. As the Debtor has not received payments under the promissory note that is its primary asset (the "Promissory Note") in more than a year, as a result of both past and prospective breaches of the terms of the Promissory Note and related transaction documents by Tribal Economic Development Holdings, LLC ("TED"), Big Picture Loans, LLC, Ascension Technologies, LLC, and the Lac Vieux Desert Band of Lake Superior Chippewa Indians, the Debtor was forced to file a voluntary petition for protection under Chapter 11 of the Bankruptcy Code with the Bankruptcy Court on January 28, 2020.

While the Debtor's management has made every reasonable effort to ensure that the Schedules and Statements are as accurate and complete as possible, based on the discrepancy in tax reporting calculations used, the complexity of the multiple litigation claims and the large legal fees associated therewith, the complex loan value calculations at issue, and the data and information that was available at the time of preparation, subsequent information or discovery could provide more information about the items identified in the Schedules and Statements, and inadvertent errors or omissions may have occurred.

These Global Notes and Statement of Limitations, Methodology, and Disclaimers Regarding the Debtor's Schedules of Assets and Liabilities and Statements of Financial Affairs (the "Global Notes") are incorporated by reference in, and comprise an integral part of, the Debtor's Schedules and Statements, and should be referred to and considered in connection with any review of the Schedules and Statements.

The Schedules and Statements for the Debtor are signed by Drew McManigle, Manager of the Debtor. In reviewing and signing the Schedules and Statements, Mr.

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¹ The location of the Debtor's corporate headquarters and service address is 1920 McKinney Ave, 7th Floor Dallas, TX 75201.

McManigle relied upon his knowledge of the business, the Debtor's accounting and financial data, and the efforts, statements, advice, and representations of personnel of the Debtor and the Debtor's legal and financial advisors.

In preparing the Schedules and Statements, the Debtor relied on financial data derived from its books and records that was available at the time of such preparation. The Debtor, and its agents, attorneys, and financial advisors do not guarantee or warrant the accuracy or completeness of the data that is provided herein, and shall not be liable for any loss or injury arising out of or caused in whole or in part by the acts, errors, or omissions, whether negligent or otherwise, in procuring, compiling, collecting, interpreting, reporting, communicating, or delivering the information contained herein. While commercially reasonable efforts have been made to provide accurate and complete information herein, inadvertent errors or omissions may exist. For the avoidance of doubt, the Debtor and its professionals expressly do not undertake any obligation to update, modify, revise, or re-categorize the information provided herein, or to notify any third party should the information be updated, modified, revised, or re-categorized, except as required by applicable law. In no event shall the Debtor, or its agents, attorneys, and financial advisors, be liable to any third party for any direct, indirect, incidental, consequential, or special damages (including, but not limited to, damages arising from the disallowance of a potential claim against the Debtor or damages to business reputation, lost business, or lost profits), whether foreseeable or not and however caused, even if the Debtor or its agents, attorneys, or financial advisors are advised of the possibility of such damages.

Global Notes and Overview of Methodology

- 1. **Description of Case.** On January 28, 2020, (the "**Petition Date**"), the Debtor filed a voluntary petition for relief under chapter 11 of the Bankruptcy Code.
- 2. Reservations and Limitations. Commercially reasonable efforts have been made to prepare and file complete and accurate Schedules and Statements; however, as noted above, inadvertent errors or omissions may exist. Nothing contained in the Schedules and Statements constitutes a waiver of any of the Debtor's rights or an admission of any kind with respect to this chapter 11 case, including, but not limited to, any rights or claims of the Debtor against any third party or issues involving equitable subordination, or defenses or causes of action arising under the provisions of chapter 5 of the Bankruptcy Code or any other relevant applicable bankruptcy or non-bankruptcy laws to recover assets or avoid transfers. Any specific reservation of rights contained elsewhere in the Global Notes does not limit in any respect the general reservation of rights contained in this paragraph.
 - (a) **No Admission.** Nothing contained in the Schedules and Statements is intended or should be construed as an admission or stipulation of the validity of any claim against the Debtor, any assertion made therein or herein, or a waiver of the right to dispute any claim or assert any cause of action or defense against any party.

- (b) **Recharacterization.** Notwithstanding that the Debtor has made commercially reasonable efforts to correctly characterize, classify, categorize, or designate certain claims, assets, executory contracts, unexpired leases, and other items reported in the Schedules and Statements, the Debtor nonetheless may have improperly characterized, classified, categorized, or designated certain items.
- Categories or Labels for Purpose of Presentation in Schedules and Statements. Information requested by the Schedules and Statements requires the Debtor to make a judgment regarding the appropriate category in which information should be presented or how certain parties, claims or other data should be labeled. The Debtor's decisions regarding the category or label to use is based on the best information available as of the filing of these Schedules and Statements and within the time constraints imposed.
- (d) Classifications. Listing or not listing (i) a claim on Schedule D as "secured," (ii) a claim on Schedule E/F as "priority" or "unsecured," or (iii) a contract on Schedule G as "executory" or "unexpired" does not constitute an admission by the Debtor of the legal rights of the claimant or contract counterparty, or a waiver of the right to recharacterize or reclassify such claim or contract.
- (e) Claims Description. Any failure to designate a claim on the Debtor's Schedules and Statements as "disputed," "contingent," or "unliquidated" does not constitute an admission by the Debtor that such amount is not "disputed," "contingent," or "unliquidated."
- (f) **Estimates and Assumptions.** The preparation of the Schedules and Statements required the Debtor to make reasonable estimates and assumptions with respect to the reported amounts of assets and liabilities, the amount of contingent assets and contingent liabilities on the date of the Schedules and Statements, and the reported amounts of revenues and expenses during the applicable reporting periods. Actual results could differ from such estimates.
- (g) Causes of Action. Despite commercially reasonable efforts, the Debtor may not have identified all current and potential causes of action the Debtor may have against third parties in its respective Schedules and Statements, including, without limitation, avoidance actions arising under chapter 5 of the Bankruptcy Code and actions under other relevant bankruptcy and non-bankruptcy laws to recover assets.
- (h) **Insiders.** In the circumstance where the Schedules and Statements require

information regarding "insiders," the Debtor has included information with respect to certain individuals who served as officers and managers, as the case may be, during the relevant time periods. Such individuals may no longer serve in such capacities.

The listing or omission of a party as an insider for purposes of the Schedules and Statements is not intended to be, nor should it be, construed as an admission of any fact, right, claim, or defense and all such rights, claims, and defenses are hereby expressly reserved. Information regarding the individuals listed as insiders in the Schedules and Statements has been included for informational purposes only.

3. <u>Methodology</u>.

(a) **Basis of Presentation.** The Debtor relied on its accounting firm to maintain Debtor's books and records.

These Schedules and Statements do not purport to represent financial statements prepared in accordance with accounting principles generally accepted in the United States ("GAAP"), nor are they intended to fully reconcile to the financial statements prepared by the Debtor. These Schedules and Statements reflect the best available estimate of assets and liabilities of the Debtor, except where otherwise indicated. Information contained in the Schedules and Statements has been derived from the data extracted from the Debtor's books and records and historical financial statements. The fair value and net realizable value of personal property may vary materially from the net book value presented herein.

Given, among other things, the uncertainty surrounding the condition, collection and ownership of certain assets and the valuation and nature of certain liabilities, that the Debtor shows more assets than liabilities is not an admission that the Debtor was solvent as of the Petition Date or at any time prior to the Petition Date.

All asset and liability information, except where otherwise noted, is reflected through January 28, 2020.

- (b) Confidential Information. There may be instances in the Schedules and Statements where the Debtor deemed it necessary and appropriate to redact from the public record information such as names, addresses, or amounts. Generally, the Debtor may have used this approach for the privacy of an individual.
- (c) Master Agreements. Contracts listed in the Schedules and Statements may be master agreements that cover relationships with the Debtor. Debtor reserves all rights to amend the Schedules and Statements to reflect changes regarding the liability of the Debtor with respect to such agreements, if appropriate.

- (d) **Duplication.** Certain of the Debtor's assets, liabilities, and prepetition payments may properly be disclosed in multiple parts of the Schedules and Statements. To the extent these disclosures would be duplicative, the Debtor has endeavored to only list such assets, liabilities, and prepetition payments once.
- (e) **Undetermined Amounts.** The description of an amount as "unknown," is not intended to reflect upon the materiality of such amount.
- (f) Unliquidated Amounts. Claim amounts that could not be readily quantified by the Debtor are scheduled as "unliquidated." The description of an amount as "unknown," or "undetermined" is not intended to reflect upon the materiality of such amount. Any failure to designate a claim in the Schedules and Statements as "contingent," "unliquidated," or "disputed" does not constitute an admission by the Debtor that such claim or amount is not "contingent," "unliquidated," or "disputed." The Debtor reserves all rights to dispute, or to assert offsets or defenses to, any claim reflected on the Schedules and Statements on any grounds, including, but not limited to, amount, liability, priority, status, or classification, or to otherwise subsequently designate any claim as "contingent," "unliquidated," or "disputed."
- (g) **Totals.** All totals that are included in the Schedules and Statements represent totals of all known amounts. To the extent there are unknown or undetermined amounts, the actual total may be different from the listed total.
- (h) Credits and Adjustments. The claims of individual creditors for, among other things, goods, products, services, or taxes are listed as the amounts entered on the Debtor's books and records and may either (i) not reflect credits, allowances, or other adjustments due from such creditors to the Debtor or (ii) be net of accrued credits, allowances, or other adjustments that are actually owed by a creditor to the Debtor on a post-petition basis on account of such credits, allowances, or other adjustments earned from prepetition payments and critical vendor payments, if applicable. The Debtor reserves all of its rights with regard to such credits, allowances, or other adjustments, including, but not limited to, the right to modify the Schedules, assert claims objections and/or setoffs with respect to the same, or apply such allowances in the ordinary course of business on a post-petition basis.
- (i) Affiliate Claims. The Debtor maintains business relationships with other entities, conducting business from time to time that may result in affiliate receivables and payables and/or are on account of capital contributions, equity investments, or distributions on account of equity investments. Known and assumed prepetition receivables and payables among and between the Debtor and its affiliates are reported on Schedule A/B, and

Schedule E/F, respectively, per the Debtor's books and records. The listing of any amounts with respect to such receivables and payables is not, and should not be construed as, an admission of the characterization of such balances as debt, equity, or otherwise.

- (j) Guarantees and Indemnification Claims. The Debtor has exercised commercially reasonable efforts to locate and identify guarantees of its agreements. Where guarantees or indemnification claims have been identified, they have been included in the relevant Schedules E/F, G and H. The Debtor may have inadvertently omitted guarantees or indemnifications embedded in its contractual agreements and may identify additional guarantees or indemnifications as it continues to review its books and records and contractual agreements. The Debtor reserve its rights, but is not required, to amend the Schedules and Statements if additional guarantees are identified.
- (k) **Currency.** Unless otherwise indicated, all amounts are reflected in U.S. dollars.

4. <u>Specific Schedules Disclosures.</u>

- (a) <u>Schedules Summary</u>. Except as otherwise noted, the asset and liability totals represent amounts through January 28, 2020. The Debtor closes its books quarterly. Based on the size of the Debtor, the scope of its operations and internal accounting resources, a monthly close is not performed.
- (b) Schedule A/B Parts 1& 2 Cash and Cash Equivalents; Deposits and Prepayments. Details with respect to the Debtor's bank accounts are provided in the Debtor's Schedules.
- (c) Schedule A/B, Part 11 All Other Assets. Debtor did not maintain an asset depreciation schedule.
- (d) Other Contingent and Unliquidated Claims or Causes of Action of Every Nature, including Counterclaims of the Debtor and Rights to Setoff Claims. The Debtor may be party to pending litigation in which such Debtor has asserted, or may assert, claims as a plaintiff or counterclaims and/or crossclaims as a defendant. Because such claims are unknown to the Debtor and not quantifiable as of the Petition Date, they are not listed on Schedule A/B, Part 11.
- (e) Schedule E/F Creditors Who Have Unsecured Claims.
 - **Part 2 Creditors with Nonpriority Unsecured Claims.** The liabilities identified in Schedule E/F, Part 2, are derived from the Debtor's books and records. The Debtor made a commercially reasonable attempt to set forth its

unsecured obligations, although the actual amount of claims against the Debtor may vary from those liabilities represented on Schedule E/F, Part 2. The listed liabilities, which have been listed on a gross accounts' payable basis, may not reflect the correct amount of any unsecured creditor's allowed claims or the correct amount of all unsecured claims.

Schedule E/F, Part 2, contains information regarding threatened or pending litigation involving the Debtor. The amounts for these potential claims are listed as "undetermined" and are marked as contingent, unliquidated, and disputed in the Schedules and Statements.

Schedule E/F, Part 2, does not include claims that may arise in connection with the rejection of any executory contracts and unexpired leases, if any, that may be or have been rejected.

In many cases, the claims listed on Schedule E/F, Part 2, arose, accrued, or were incurred on various dates or on a date or dates that are unknown to the Debtor or are subject to dispute. Where the determination of the date on which a claim arose, accrued, or was incurred would be unduly burdensome and costly to the Debtor's estates, the Debtor has not listed a specific date or dates for such claim.

As of the time of filing of the Schedules and Statements, the Debtor may not have received all invoices for payables, expenses, and other liabilities that may have accrued prior to the Petition Date. Accordingly, the information contained in Schedules E/F may be incomplete. The Debtor reserves its rights, but undertakes no obligations, to amend Schedules E/F if, or when, the Debtor receive such invoices.

(f) Schedule G – Executory Contracts and Unexpired Leases. While commercially reasonable efforts have been made to ensure the accuracy of Schedule G, inadvertent errors or omissions may have occurred. Omission of a contract or agreement from Schedule G does not constitute an admission that such omitted contract or agreement is not an executory contract.

5. Specific Statements Disclosures.

(a) Statements, Part 1, Question 1 – Gross Revenue from Business. The interest rate specified in the Promissory Note is 1.81%. The interest income reported on the 1099 issued by TED to the Debtor has been substantially lower than the amount should have been using the 1.81% rate. Anderson, the tax group working with the Debtor, has reached out to TED's accounting group to attempt to discuss the issue and are still waiting for a response. Debtor reserves its right to amend its Statement of Financial Affairs based upon actual findings.

(b) Statements, Part 2, Question 3 – Payments and Transfers to Certain Creditors within 90 Days. The dates set forth in the "Dates" column relate to one of the following: (i) the date of a wire transfer; (ii) the date of an "ACH" processing; or (iii) the check date. Prior to the Petition Date, the Debtor made payments on behalf of certain non-debtor affiliates. Consequently, for the purpose of this schedule, payments are recorded on the Debtor's Statements, Part 2, Question 3, based on the Debtor's bank account.

Payments to the Debtor's bankruptcy professionals and insiders are not included in the payments to creditors. Payments to the aforementioned parties are included in the following locations within the Statements: bankruptcy professionals (Question 11), insider/affiliate (Questions 4, 13, and 11).

- (c) Statements, Part 3, Question 7 Legal Actions or Assignments. The Debtor does not know of any workers' compensation claims in response to this question. However, if any become known, the Debtor maintains that disclosure would be in violation of certain laws including HIPAA (Health Insurance Portability and Accountability Act of 1996).
- (d) Statements, Part 6, Question 13 Transfers Not Otherwise Listed. Cash transactions and distributions by the Debtor to its insiders and affiliates of Debtor are listed on the attachment as Exhibit SOFA 4/13/30. These cash transactions are disclosed for purposes of transparency; however Debtor believes that these payments were made in the ordinary course of business.
- (e) Statements, Part 13, Question 30 Payments, Distributions, or Withdrawals Credited or Given to Insiders. Distributions by the Debtor are listed on the attachment as Exhibit SOFA 4/13/30.

6. Litigants/Claimants

Best efforts have been made to notice business and people affected by the numerous lawsuits related to this petition directly and indirectly but the Debtor cannot guarantee that all effected by said litigation/claims were noticed.

These Global Notes are in addition to the specific notes set forth in the Schedules and Statements. The fact that the Debtor has prepared a Global Note with respect to a particular Schedule or Statement and not as to others does not reflect and should not be interpreted as a decision by the Debtor to exclude the applicability of such Global Note to any or all of the Debtor's remaining Schedules or Statements, as appropriate. Disclosure of information in one Schedule, one Statement, or an exhibit or attachment to a Schedule or Statement, even if incorrectly placed, shall be deemed to be disclosed in the correct Schedule, Statement, exhibit, or attachment.

Fill	in this information to identify the case:				
De	btor name				
Un	ited States Bankruptcy Court for the: NORTHERN DISTR	RICT OF TEXAS			
Са	se number (if known)				Check if this is an amended filing
					amenaea ming
Of	ficial Form 207				
	atement of Financial Affairs for No	on-Individu	uals Filing for Ban	kruptcy	04/19
The	debtor must answer every question. If more space is n				any additional pages,
	e the debtor's name and case number (if known).				
Pa	rt 1: Income				
1.	Gross revenue from business				
	☐ None.				
	Identify the beginning and ending dates of the debtor which may be a calendar year	's fiscal year,	Sources of revenue Check all that apply		Gross revenue (before deductions and exclusions)
	From the beginning of the fiscal year to filing date:	ate:	■ Operating a business		\$0.00
	From 1/01/2020 to Filing Date	☐ Other			
	For prior year:		■ Operating a business		\$128,301.29
	From 1/01/2019 to 12/31/2019		Other		
	For year before that:		■ Operating a business		\$338,984.48
	From 1/01/2018 to 12/31/2018		☐ Other		
	Non-business revenue Include revenue regardless of whether that revenue is taxa and royalties. List each source and the gross revenue for e	ble. <i>Non-business</i> ach separately. D	s income may include interest, o o not include revenue listed in l	lividends, mor	ney collected from lawsuits,
	■ None.				
			Description of sources of	revenue	Gross revenue from each source (before deductions and exclusions)
Pa	t 2: List Certain Transfers Made Before Filing for Ba	nkruptcy			
	Certain payments or transfers to creditors within 90 da List payments or transfers—including expense reimburseme filing this case unless the aggregate value of all property tra and every 3 years after that with respect to cases filed on o	entsto any credito ansferred to that c	or, other than regular employee reditor is less than \$6,825. (Thi		
	□ None.				
	Creditor's Name and Address	Dates	Total amount of value	Reasons fo	r payment or transfer

Debtor Eventide Credit Acquisitions, LLC

Case number (if known) 20-40349-11

	ditor's Name and Address	Dates	Total amount of value	Reasons for payment or transfer Check all that apply
.1.	American Arbitration Association 9 Greenway Plaza #1275 Houston, TX 77046	12/18/2019	\$14,000.00	□ Secured debt □ Unsecured loan repayments □ Suppliers or vendors ■ Services □ Other
3.2.	Bowman & Brooke LLP 5830 Granite Pkwy #1000 Plano, TX 75024	01/08/2020 \$6,540.00 01/17/2020 \$6,240.00	\$12,780.00	☐ Secured debt ☐ Unsecured loan repayments ☐ Suppliers or vendors ☐ Services ☐ Other
3.3.	Holland & Knight LLP 200 Crescent Ct #1600 Dallas, TX 75201	12/2/2019	\$33,328.83	☐ Secured debt ☐ Unsecured loan repayments ☐ Suppliers or vendors ☐ Services ☐ Other
.4.	The MCS Group, Inc. 1601 Market St., Suite 800 Philadelphia, PA 19103	12/04/2019 \$21,024.36 12/25/2019 \$15,745.32 01/06/2020 \$32,560.38	\$69,330.06	☐ Secured debt ☐ Unsecured loan repayments ☐ Suppliers or vendors ☐ Services ☐ Other
.5.	Spotts Fain, P.C. 411 East Franklin St., Suite 600 Richmond, VA 23219	12/3/2019 \$83,608.97 1/13/2020 \$ 3,172.00 1/13/2020 \$ 960.00 1/17/2020 \$21,496.00	\$109,236.97	☐ Secured debt ☐ Unsecured loan repayments ☐ Suppliers or vendors ☐ Services ☐ Other
.6.	Pepper Hamilton 3000 Two Logan Square Philadelphia, PA 19103	12/03/2019 \$549.50 01/17/2020 \$8,409.00	\$8,958.50	☐ Secured debt ☐ Unsecured loan repayments ☐ Suppliers or vendors ☐ Services ☐ Other
.7.	Van Ness Feldman LLP 1050 Thomas Jefferson St NW Washington, DC 20007	1/17/2020 \$43,968.60	\$43,968.60	☐ Secured debt ☐ Unsecured loan repayments ☐ Suppliers or vendors ☐ Services ☐ Other
.8.	Greer Walker LLP 227 W. Trade Street Suite 110 Charlotte, NC 28202	1/6/2020 \$15,472.00	\$15,472.00	☐ Secured debt ☐ Unsecured loan repayments ☐ Suppliers or vendors ☐ Services ☐ Other

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Case number (if known) 20-40349-11

	Cred	litor's Name and Address		Dates	Total amount of value		asons for pay	yment or transfer ply
	3.9.	Shraiberg, London & Page P.A. 2385 NW Executive Center Dr Suite 300 Boca Raton, FL 33431		12/3/2019 \$7,880	\$7,888.00		Secured debt Unsecured loa Suppliers or v Services Other	an repayments
4.	List pay or cosion may be listed in	ents or other transfers of property made yments or transfers, including expense regreed by an insider unless the aggregate adjusted on 4/01/22 and every 3 years in line 3. <i>Insiders</i> include officers, director and their relatives; affiliates of the debtorne.	eimbursemei value of all p after that wit s, and anyor	nts, made within property transferr h respect to case ne in control of a	1 year before filing this case red to or for the benefit of the es filed on or after the date of corporate debtor and their re	on debts insider adjustm latives;	s owed to an is less than \$ nent.) Do not i general partn	6,825. (This amount include any payments ers of a partnership
		ler's name and address tionship to debtor		Dates	Total amount of value	Rea	sons for pay	yment or transfer
		See attached SOFA 4/13/30 Payments to Insiders						
5.	List all a forec	sessions, foreclosures, and returns property of the debtor that was obtained losure sale, transferred by a deed in lieu						ed by a creditor, sold a
	■ No	one litor's name and address	Describe	of the Property		Date		Value of property
	0.00			oo opoy				тана от рторотој
6.		y creditor, including a bank or financial in debtor without permission or refused to m						
		litor's name and address	Description	on of the action	creditor took		action was	Amount
D	art 2	Logal Actions or Assignments				taken		
	Legal a List the in any o	Legal Actions or Assignments actions, administrative proceedings, or legal actions, proceedings, investigation capacity—within 1 year before filing this or the control of	ns, arbitration					e debtor was involved
	□No	Case title	Nature of	C350	Court or agency's name an	d	Status of c	250
		Case number			address		_	ase
	/.1. 	Williams et al. v. Big Picture Loans, LLC et al. 3:17-cv-00461	28:1331 Question Racketed (RICO) A	n: ering	US Dist. Court for E. Dis Virginia 701 East Broad Street Richmond, VA 23219	st. of	■ Pending □ On appe □ Conclud	eal
	7.2.	Galloway et al. v. Big Picture Loans, LLC et al. 3:18-cv-00406	18:1961 Racketee (RICO) A	ering .ct	US Dist. Court, E. Dist. o Virginia 701 E Broad St Richmond, VA 23219	of	Pending On appe	eal

Debtor Eventide Credit Acquisitions, LLC

Breakwater Holding, LLC			
Bank Account Number	<u>Date</u>	<u>Description</u>	<u>Payment</u>
Bank of America (4326)	2/23/2018	Distribution	\$(2,086,000.00)
Bank of America (4326)	3/22/2018	Distribution	\$(2,086,000.00)
Tolleson Private Bank BUS CK **6536	4/20/2018	Distribution	\$(1,907,200.00)
Tolleson Private Bank BUS CK **6536	6/14/2018	Distribution	\$ (178,800.00)
Tolleson Private Bank BUS CK **6536	6/28/2018	Distribution	\$(1,192,000.00)
Tolleson Private Bank BUS CK **6536	7/31/2018	Distribution	\$ (745,000.00)
Tolleson Private Bank BUS CK **6536	11/8/2018	Distribution	\$ (298,000.00)
Tolleson Private Bank BUS CK **6536	11/15/2018	Distribution	\$ (59,600.00)
Tolleson Private Bank BUS CK **6536	11/27/2018	Distribution	\$ (596,000.00)
Tolleson Private Bank BUS CK **6536	1/14/2019	Distribution	\$ (274,160.00)
Tolleson Private Bank BUS CK **6536	8/30/2019	Distribution	\$ (175,123.00)

Brian McFadden			
Bank Account Number	<u>Date</u>	<u>Description</u>	<u>Payment</u>
Bank of America (4326)	2/16/2018	Distribution	\$ (70,000.00)
Bank of America (4326)	3/21/2018	Distribution	\$ (70,000.00)
Bank of America (4326)	4/20/2018	Distribution	\$ (64,000.00)
Bank of America (4326)	6/14/2018	Distribution	\$ (6,000.00)
Bank of America (4326)	7/17/2018	Distribution	\$ (40,000.00)
Bank of America (4326)	7/31/2018	Distribution	\$ (25,000.00)
Bank of America (4326)	11/8/2018	Distribution	\$ (10,000.00)
Bank of America (4326)	1/14/2019	Distribution	\$ (22,000.00)
Bank of America (4326)	1/23/2019	Distribution	\$ (9,200.00)

Gallant Capital, LLC			
Bank Account Number	<u>Date</u>	<u>Description</u>	<u>Payment</u>
Bank of America (4326)	2/16/2018	Distribution	\$ (892,500.00)
Bank of America (4326)	3/21/2018	Distribution	\$ (892,500.00)
Tolleson Private Bank BUS CK **6536	4/20/2018	Distribution	\$ (816,000.00)
Bank of America (4326)	6/14/2018	Distribution	\$ (76,500.00)
Tolleson Private Bank BUS CK **6536	7/9/2018	Distribution	\$ (510,000.00)
Tolleson Private Bank BUS CK **6536	7/31/2018	Distribution	\$ (318,750.00)
Tolleson Private Bank BUS CK **6536	11/8/2018	Distribution	\$ (127,500.00)
Tolleson Private Bank BUS CK **6536	11/15/2018	Distribution	\$ (25,500.00)
Tolleson Private Bank BUS CK **6536	11/27/2018	Distribution	\$ (255,000.00)
Tolleson Private Bank BUS CK **6536	1/14/2019	Distribution	\$ (117,300.00)

James Dowd			
Bank Account Number	<u>Date</u>	<u>Description</u>	<u>Payment</u>
Bank of America (4326)	2/16/2018	Distribution	\$ (52,500.00)
Bank of America (4326)	3/21/2018	Distribution	\$ (52,500.00)
Bank of America (4326)	4/20/2018	Distribution	\$ (48,000.00)
Bank of America (4326)	6/14/2018	Distribution	\$ (4,500.00)
Bank of America (4326)	7/17/2018	Distribution	\$ (30,000.00)
Bank of America (4326)	7/31/2018	Distribution	\$ (18,750.00)
Bank of America (4326)	11/8/2018	Distribution	\$ (7,500.00)
Bank of America (4326)	1/14/2019	Distribution	\$ (16,500.00)
Bank of America (4326)	1/22/2019	Distribution	\$ (6,900.00)

Justin Martorello			
Bank Account Number	<u>Date</u>	<u>Description</u>	<u>Payment</u>
Bank of America (4326)	2/16/2018	Distribution	\$ (346,500.00)
Bank of America (4326)	3/21/2018	Distribution	\$ (346,500.00)
Bank of America (4326)	4/20/2018	Distribution	\$ (316,800.00)
Bank of America (4326)	6/14/2018	Distribution	\$ (29,700.00)
Bank of America (4326)	7/17/2018	Distribution	\$ (198,000.00)
Bank of America (4326)	7/31/2018	Distribution	\$ (123,750.00)
Bank of America (4326)	11/8/2018	Distribution	\$ (49,500.00)
Bank of America (4326)	1/14/2019	Distribution	\$ (108,900.00)
Bank of America (4326)	1/23/2019	Distribution	\$ (45,540.00)

Simon Liang			
Bank Account Number	<u>Date</u>	<u>Description</u>	<u>Payment</u>
Bank of America (4326)	2/16/2018	Distribution	\$ (52,500.00)
Bank of America (4326)	3/21/2018	Distribution	\$ (52,500.00)
Bank of America (4326)	4/20/2018	Distribution	\$ (48,000.00)
Bank of America (4326)	6/14/2018	Distribution	\$ (4,500.00)
Bank of America (4326)	7/17/2018	Distribution	\$ (30,000.00)
Bank of America (4326)	7/31/2018	Distribution	\$ (18,750.00)
Bank of America (4326)	11/8/2018	Distribution	\$ (7,500.00)
Bank of America (4326)	1/14/2019	Distribution	\$ (16,500.00)
Bank of America (4326)	1/22/2019	Distribution	\$ (6,900.00)

Debtor Eventide Credit Acquisitions, LLC

Case number (if known) 20-40349-11

	Case title	Nature of case	Court or agency's name and	Status of case
7.3.	Case number Smith v. Martorello, et al 3:18-cv01651	470 Civil (RICO) Racketeer/Corrupt Organization	address US Dist. Court, Oregon 1000 S.W. Third Ave. Portland, OR 97204	■ Pending □ On appeal □ Concluded
7.4.	Duggan v. Martorello, et al. 1:18-cv-12277	18:1962 Racketeering (RICO) Act	US Dist. Court, Massachusetts 1 Courthouse Way Boston, MA 02210	■ Pending □ On appeal □ Concluded
7.5.	Williams et al v. Microbilt Corporation et al 3:19-cv-00085	15:1681 Fair Credit Reporting Act	US Dist. Court, E. Dist. of Virginia 701 East Broad Street Richmond, VA 23219	■ Pending □ On appeal □ Concluded
7.6.	Galloway et al. v. Martorello et al 3:19-cv-00314	18:1961 Racketeering (RICCO) Act	US Dist. Court, E. Dist. of Virginia 701 East Broad Street Richmond, VA 23219	☐ Pending ☐ On appeal ☐ Concluded
7.7.	Galloway et al. v. Williams et al 3:19-cv-00470	18:1962 Racketeering (RICO) Act	US Dist. Court, E. Dist. of Virginia 701 East Broad Street Richmond, VA 23219	■ Pending □ On appeal □ Concluded
7.8.	Eventide Credit Acquisitions, LLC v. Ascension Technologies, LLC, Big Picture Loans, LLC and Tribal Economic Development Holdings, LLC 2:19-cv-00256	28:1332 Diversity-Other Contract	US Dist. Court for W. Dist. of Michigan 110 Michigan St NW #399 Grand Rapids, MI 49503	□ Pending□ On appeal■ Concluded
7.9.	Matt Martorello, Liont LLC, and Eventide Credit Acquisitions, LLC v. Lula Williams, on behalf of Williams, Gloria Turnage, on behalf of Turnage, George Hengle, on behalf of Hengle, Dowin Coffy, on behalf of Coffy & Marcella P Singh, on behalf of Singh, Tolleson Private Bank, as Objector 3:19-MC-0002-S	Civil Miscellaneous Case re Motion to Quash Case transferred to the United States District Court for the Eastern District of Virginia, with the underlying litigation, Williams v. Big Picture Loans, LLC, 3:17-cv-00461-RE P (E.D. Va.).	US Dist. Court, N.D. Texas, Dallas Div. 1100 Commerce St # 1452 Dallas, TX 75242	☐ Pending ☐ On appeal ■ Concluded
7.10	Eventide Credit Acquisitions, LLC v. Lac Vieux Desert Bank of Lake Superior Chippewa Indians, Tribal Economic Development Holdings, LLC, Big Picture Loans, LLC, Ascension Technologies, LLC and LVD Tribal Acquisition Company, LLC 01-19-0004-5187	Breach of LSA, Note and Guaranty	American Arbitration Association	■ Pending □ On appeal □ Concluded

Debtor	Eventide Credit Acquisitions, LL	<u>C</u> Case	e number (if known) 20-40349-	11
List	signments and receivership any property in the hands of an assignee f eiver, custodian, or other court-appointed c	or the benefit of creditors during the 120 days the flicer within 1 year before filing this case.	pefore filing this case and any բ	property in the hands of a
	None			
Part 4:	Certain Gifts and Charitable Contrib	utions		
	t all gifts or charitable contributions the gifts to that recipient is less than \$1,000	debtor gave to a recipient within 2 years be	fore filing this case unless th	e aggregate value of
-	None			
	Recipient's name and address	Description of the gifts or contributions	Dates given	Value
Part 5:	Certain Losses			
10. All l	losses from fire, theft, or other casualty	within 1 year before filing this case.		
-	None			
	escription of the property lost and ow the loss occurred	Amount of payments received for the loss of you have received payments to cover the loss, for example, from insurance, government compensate tort liability, list the total received. List unpaid claims on Official Form 106A/B (Scheen A/P: Accepts - Repland Payment) Property	ior ion, or	Value of property lost
Part 6:	Certain Payments or Transfers	A/B: Assets – Real and Personal Property).		
11. Pay List of th relie	rments related to bankruptcy any payments of money or other transfers	of property made by the debtor or person actin ng attorneys, that the debtor consulted about d		
	Who was paid or who received the transfer? Address	If not money, describe any property tra	ansferred Dates	Total amount or value
1	Loeb & Loeb LLP		Five months that Loeb was retained prior to the Petition Date. Loeb is currently holding \$50,000.00	

Email or website address bgiven@loeb.com

10100 Santa Monica Blvd

Los Angeles, CA 90067-4120

Suite 2200

Who made the payment, if not debtor?

Bluetech Irrevocable Trust

\$250,000 loan advanced on behalf of

Debtor.

\$206,809.07

in retainer

(at date of

filing).

Debtor Eventide Credit Acquisitions, LLC

Case number (if known) 20-40349-11

	Who was paid or who received the transfer? Address	If not money, describe any property transfer	red Dates	Total amount or value
11.2.	Forshey & Prostok, LLP 777 Main Street Suite 1290 Arlington, TX 76012	\$250,000 loan advanced on behalf of Debtor.	1/28/2020 - Paid from IOLTA account of Loeb & Loeb, on behalf of the Debtor.	\$25,000.00
	Email or website address jprostok@forsheyprostok.com			
	Who made the payment, if not debtor's Bluetech Irrevocable Trust	?		
11.3.	MACCO Restructuring Group, LLC The Pennzoil Building 700 Milam Street, Suite 1300 Houston, TX 77002	\$250,000 loan advanced on behalf of Debtor.	1/28/2020 - Paid from IOLTA account of Loeb & Loeb, on behalf of the Debtor.	\$40,000.00
	Email or website address www.maccorestructuringgroup.c	om		
	Who made the payment, if not debtor's Bluetech Irrevocable Trust			
List any to a self	ttled trusts of which the debtor is a bend payments or transfers of property made by f-settled trust or similar device. nclude transfers already listed on this state	y the debtor or a person acting on behalf of the de	ebtor within 10 years befo	re the filing of this case
■ No	ne.			
Name	e of trust or device	Describe any property transferred	Dates transfers were made	Total amount or value
List any 2 years	before the filing of this case to another per	ale, trade, or any other means made by the debtor son, other than property transferred in the ordinal urity. Do not include gifts or transfers previously lis	ry course of business or fi	
☐ Noi	ne.			
		Description of property transferred or payments received or debts paid in exchange	Date transfer was made	Total amount or value
13.1	Breakwater Holdings, LLC Bermuda House, Tutakimoa Road Rarotonga, Cook Islands	See attached Exhibit SOFA 4/13/30		

Official Form 207

12.

13.

Relationship to debtor

Member

COASE-32107403409461ATRIFIDOCD785 FITECTO 9/200/20 FITECTO 9/200/200/20 FITECTO 9/200/20 FI

Case number (if known) 20-40349-11 Debtor **Eventide Credit Acquisitions, LLC** Who received transfer? Description of property transferred or Total amount or Date transfer **Address** payments received or debts paid in exchange was made value 13.2 Brian McFadden 3133 Indian Pont Road See attached Exhibit SOFA 4/13/30 Saugatuck, MI 49453 Relationship to debtor Member 13.3 Gallant Capital, LLC 1920 McKinney Avenue 7th Floor See attached Exhibit SOFA 4/13/30 **Dallas, TX 75201** Relationship to debtor Member 13.4 James Dowd 2014 Calle Las Violetas See attached Exhibit SOFA 4/13/30 San Juan, PR 00915 Relationship to debtor Member See attached Exhibit SOFA 4/13/30 13.5 Justin Martorello Payments to Justin Martorello (deposited 2019 Westbourne Park Dr. into joint account with Gina Martorello) Houston, TX 77007 Relationship to debtor Member 13.6 Simon Liang 119 Gascony Dr. See attached Exhibit SOFA 4/13/30 Greenville, SC 29609 Relationship to debtor Member Part 7: Previous Locations 14. Previous addresses List all previous addresses used by the debtor within 3 years before filing this case and the dates the addresses were used. Does not apply **Address** Dates of occupancy From-To Part 8: Health Care Bankruptcies 15. Health Care bankruptcies Is the debtor primarily engaged in offering services and facilities for: - diagnosing or treating injury, deformity, or disease, or - providing any surgical, psychiatric, drug treatment, or obstetric care?

- No. Go to Part 9.
- Yes. Fill in the information below.

CCase-326740349-49int PIEDoc Profilen 0 9/20/20 Filen 16763903/20/2012015:45:45:45:462 Frage 178 68 270

Deptor	Eventide Credit Acquisitions, LLC	•		Case numb	er (if known) 20-40.	349-11	
	Facility name and address	Nature of the business the debtor provides	s operation, in	cluding typ	e of services	and ho	tor provides meals busing, number of ts in debtor's care
Part 9:	Personally Identifiable Information						
6 Does	the debtor collect and retain personall	v identifiable information	n of customers	s?			
_							
	No. Yes. State the nature of the information of	ollected and retained					
_	in 6 years before filing this case, have a		otor been parti	cipants in	any ERISA, 401(k)	, 403(b),	or other pension of
profi	t-sharing plan made available by the de	btor as an employee bei	nefit?				
	No. Go to Part 10.						
	Yes. Does the debtor serve as plan admi	nistrator?					
Part 10:	Certain Financial Accounts, Safe Dep	osit Boxes, and Storage	e Units				
8 Clos	ed financial accounts	· · ·					
Withi	n 1 year before filing this case, were any fi	nancial accounts or instru	ments held in t	he debtor's	name, or for the de	btor's be	nefit, closed, sold,
Inclu	d, or transferred? le checking, savings, money market, or other financial accounts; certificates of deposit; and shares in banks, credit unions, brokerage houses,						
coop	eratives, associations, and other financial i	nstitutions.					
	None						
	Financial Institution name and Address	Last 4 digits of account number	Type of acco	ount or	Date account wa	15	Last balance before closing or
					moved, or transferred		transfer
0 Safo	deposit boxes						
List a	ny safe deposit box or other depository for	securities, cash, or other	valuables the	debtor now l	nas or did have with	ոin 1 yea	r before filing this
case.							
	None						
				_			-
De	pository institution name and address	Names of anyone access to it	Names of anyone with access to it		Description of the contents		Do you still have it?
		Address					
0. Off-p	remises storage ny property kept in storage units or wareho	ougas within 1 year hefore	filing this coop	. Do not inc	luda facilities that a	ro in a n	art of a building in
	n the debtor does business.	ouses within 1 year before	illing this case	. Do not inc	iude lacililes tilat a	ле пта ра	art of a building in
	None						
Fac	cility name and address	Names of anyone	with	Descripti	on of the contents	3	Do you still
		access to it					have it?
Part 11:	Property the Debtor Holds or Control	s That the Debtor Does	Not Own				
		o mat the bester bees	1101 0 1111				
List a	erty held for another ny property that the debtor holds or contro st leased or rented property.	ls that another entity own:	s. Include any p	property bor	rowed from, being s	stored for	r, or held in trust. Do
■ No	one						
Part 12:	Details About Environment Information	on					

For the purpose of Part 12, the following definitions apply: Environmental law means any statute or governmental regulation that concerns pollution, contamination, or hazardous material, regardless of the

medium affected (air, land, water, or any other medium).

Official Form 207

Statement of Financial Affairs for Non-Individuals Filing for Bankruptcy

CCASE-321074034944AAA11EBocD785 FITECTO \$1200 P20 FITECTO \$1200 P20 P200 P3:25:45:45:45:462 P200 P201 P3:25:462 P3:2

Debtor **Eventide Credit Acquisitions, LLC** Case number (if known) 20-40349-11

Site means any location, facility, or property, including disposal sites, that the debtor now owns, operates, or utilizes or that the debtor formerly owned, operated, or utilized.

Hazardous material means anything that an environmental law defines as hazardous or toxic, or describes as a pollutant, contaminant, or a

	similarly harmful substance.					
Rep	ort all not	ices, releases, and proceedings	known, regardless of when they occurre	ed.		
22.	22. Has the debtor been a party in any judicial or administrative proceeding under any environmental law? Include settlements and orders.					
■ No.						
	☐ Yes.	Provide details below.				
	Case titl		Court or agency name and address	Nature of the case	Status of case	
23. I	Has anv o	overnmental unit otherwise noti	fied the debtor that the debtor may be lia	ible or potentially liable under or in vi	olation of an	
		ental law?	,	,,		
	No.					
	☐ Yes.	Provide details below.				
	Site nan	ne and address	Governmental unit name and address	Environmental law, if known	Date of notice	
24. I	Has the de	ebtor notified any governmental	unit of any release of hazardous materia	l?		
	■ No.					
	☐ Yes.	Provide details below.				
	Site nan	ne and address	Governmental unit name and address	Environmental law, if known	Date of notice	
Par	t 13: De	tails About the Debtor's Rusines	ss or Connections to Any Business			
		inesses in which the debtor has	•			
I	List any bu		n owner, partner, member, or otherwise a pe	erson in control within 6 years before fili	ng this case.	
•	_	s information over it already fletted	in the concurre.			
	■ None					
Business name address De		name address	Describe the nature of the business	Employer Identification number Do not include Social Security number	oloyer Identification number ot include Social Security number or ITIN.	
				Dates business existed	ss existed	
		cords, and financial statements		da wikhin Owana hafana filina khina ana		
•			no maintained the debtor's books and record	us within 2 years before filling this case.		
	Name and address 26a.1. Andersen and Starr Accounting				of service	
			nting		n-To 8 - Present	
		Division of Andersen 5949 Sherry Lane, Suite 500	- 1			
		Dallas, TX 75225				
	26a.2.	Zayra Emanuelli			roximately uary 1-June 30,	
Puerto Rico				201		
26a.3. Talkington & Associates 2018			8			
295 Palmas Inn Way Ste 130 Pmb 354 Humacao, PR 791						

Debtor Eventide Credit Acquisitions, LLC Case number (if known) 20-40349-11

Name a	and address	Date of service From-To
26a.4.	Melanie Hedrick (Andersen) 5949 Sherry Lane Suite 500 Dallas, TX 75225	2018 - Present
26a.5.	Peter Watson (Andersen) 5949 Sherry Lane Suite 500 Dallas, TX 75225	2018 - Present
26a.6.	Edwin Roberts (Andersen) 5949 Sherry Lane Suite 500 Dallas, TX 75225	2018 - Present
26a.7.	Carol Robles Address Unknown	Approximately January 1-June 30, 2018
withi	all firms or individuals who have audited, compiled, or reviewed debton n 2 years before filing this case.	's books of account and records or prepared a financial statement
ПΝ	one	
Name a	nd address	Date of service From-To
26b.1.	Andersen and Starr Accounting, Division of Andersen 5949 Sherry Lane, Suite 500	2018-Present
	Dallas, TX 75225	
Name a		Date of service
Name a 26b.2.	Dallas, TX 75225	Date of service From-To 2018
26b.2.	Dallas, TX 75225 and address Talkington & Associates 295 Palmas Inn Way Ste 130 Pmb 354 Humacao, PR 791 all firms or individuals who were in possession of the debtor's books or	From-To 2018
26b.2. 6c. List a □ N	Dallas, TX 75225 and address Talkington & Associates 295 Palmas Inn Way Ste 130 Pmb 354 Humacao, PR 791 all firms or individuals who were in possession of the debtor's books or	From-To 2018 account and records when this case is filed. If any books of account and records are
26b.2.	Dallas, TX 75225 Ind address Talkington & Associates 295 Palmas Inn Way Ste 130 Pmb 354 Humacao, PR 791 Ill firms or individuals who were in possession of the debtor's books of one	From-To 2018 account and records when this case is filed.
26b.2. 6c. List a □ N	Dallas, TX 75225 Ind address Talkington & Associates 295 Palmas Inn Way Ste 130 Pmb 354 Humacao, PR 791 Ill firms or individuals who were in possession of the debtor's books of one Ind address Andersen 5949 Sherry Lane, Suite 500	From-To 2018 account and records when this case is filed. If any books of account and records are

■ None

Name and address

Coase3207403494666131EDocD78541180103120120Filente7629031/201720195:451451462 Fragel D41 68 223

Case number (if known) 20-40349-11

27. Inventories Have any inventories of the debtor's pr	roperty been taken within 2 years be	fore filing this case?		
■ No□ Yes. Give the details about the to	wo most recent inventories.			
Name of the person who sup inventory	pervised the taking of the	Date of inventory	The dollar amount a or other basis) of ea	and basis (cost, market,
28. List the debtor's officers, directors, in control of the debtor at the time of		ners, members in conti	ol, controlling shareh	nolders, or other people
Name	Address	Position interest	and nature of any	% of interest, if
Breakwater Holdings, LLC	Bermuda House, Tutakimoa P.O. Box 822 Rarotonga, Cook Islands	, Tutakimoa Road Member		any 59.6%
Name	Address	Position interest	and nature of any	% of interest, if any
Matt Martorello	3805 Greenbriar Dr Dallas, TX 75225	Preside	nt	uny
Name	Address	Position interest	and nature of any	% of interest, if
Drew McManigle	c/o MACCO Restructuring G LLC 700 Milam St., Suite 1300 Houston, TX 77002		iterest any lanager	
■ No □ Yes. Identify below.				
30. Payments, distributions, or withdraw Within 1 year before filing this case, dic loans, credits on loans, stock redemption	d the debtor provide an insider with	value in any form, includi	ng salary, other compe	ensation, draws, bonuses,
Yes. Identify below.				
Name and address of recipie	Amount of money or de	escription and value of	Dates	Reason for providing the value
30.1 See attached Exhibit SOF 4/13/30				
Relationship to debtor				
31. Within 6 years before filing this case	e, has the debtor been a member	of any consolidated gro	oup for tax purposes?	,
■ No□ Yes. Identify below.				
Name of the parent corporation				

Debtor Eventide Credit Acquisitions, LLC

Debtor	Eventide Credit Acquisitions, LLC		Case number (if known) 20-40349-11
•	in 6 years before filing this case, has the debtor	r as an employer been respon	sible for contributing to a pension fund?
Name	Yes. Identify below.		Employer Identification number of the parent corporation
Part 14:	Signature and Declaration		
I ha	nection with a bankruptcy case can result in fines u J.S.C. §§ 152, 1341, 1519, and 3571.	ip to \$500,000 or imprisonment	ng property, or obtaining money or property by fraud in for up to 20 years, or both. ents and have a reasonable belief that the information is true
Execute		Drew McManigle Printed name	
Position	or relationship to debtor Manager		
Are addi ■ No □ Yes	tional pages to <i>Statement of Financial Affairs fo</i>	or Non-Individuals Filing for B	ankruptcy (Official Form 207) attached?

Official Form 207